

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Video Description: Implementation of the)	MB Docket No. 11-43
Twenty-First Century Communications and)	
Video Accessibility Act of 2010)	

**SUPPLEMENT TO REQUEST OF 21ST CENTURY FOX, INC. AND FOX NEWS
NETWORK, LLC FOR EXCLUSION FROM LIST OF TOP FIVE NATIONAL NON-
BROADCAST NETWORKS**

21st Century Fox, Inc. and Fox News Network, LLC (“Fox News”) hereby submit this supplement with additional information regarding Fox News’ request for exclusion from the list of top five national non-broadcast networks subject to the Federal Communication Commission’s (“FCC” or “Commission”) video description rules.¹ This supplement is being filed at request of FCC staff to provide a larger programming sample, which confirms that Fox News qualifies for exclusion from the list of the top five national non-broadcast networks.

As noted in its previous filing, Fox News qualifies for exclusion from the list because it does not provide, on average, at least 50 hours per quarter of non-exempt prime-time programming (*i.e.*, programming that is not live or near live), as defined by the Commission.² Exhibit No. 2 provides a detailed breakdown of Fox News’ prime-time programming from six (6) recent quarters – starting July 1, 2016, through December 31, 2017 – which shows that Fox News does not air, on average, more than 50 hours of non-exempt prime-time programming per quarter.

¹ See 47 C.F.R. § 79.3. *See also* Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, *Report and Order*, 26 FCC Rcd 11847 (2011) (*Video Description Order*).

² Request for Exclusion from List of Top Five National Non-Broadcast Networks of 21st Century Fox and Fox News, MB Docket No. 11-43 (filed Mar. 9, 2018).

Fox News thus should be excluded from the Commission's list of the top five national non-broadcast networks as it does not provide, on average, at least 50 hours of nonexempt programming per quarter.

Respectfully submitted,

21st CENTURY FOX, INC.
FOX NEWS NETWORK, LLC

By: _____/s_____

John M. Beahn
DLA Piper LLP (US)
500 Eighth Street, NW
Washington D.C. 20004
Their Attorney

May 4, 2018

EXHIBIT NO. 1

DECLARATION

I, Paula Firestone, hereby state as follows:

1. I am Vice President of Program Operations, Fox News Network, LLC ("Fox News").
2. I submit this Declaration in support of the Supplement to the Request of 21st Century Fox, Inc. and Fox News Network, LLC for Exclusion from List of Top Five Non-Broadcast Networks, dated May 4, 2018, in response to the Media Bureau's Public Notice announcing the national non-broadcast network rankings for purposes of the July 1, 2018, update to the video description requirements.
3. In my capacity as Vice President of Program Operations, I am familiar with the weekday and weekend programming schedules for Fox News.
4. The programming schedule attached as Exhibit 2 is representative of the prime-time programming that Fox News aired from July 2016 through December 2017. The proportion of live/near live programming has not materially changed in subsequent periods.
5. Fox News does not, on average, air at least 50 hours of non-exempt prime-time programming per quarter.

I declare under penalty of perjury that, to the best of my knowledge, information, and belief, the foregoing is true and correct. Executed May 4, 2018.



Paula Firestone
Vice President of Program Operations
Fox News Network, LLC
1211 Avenue of the Americas
New York, NY 10036

EXHIBIT NO. 2

FOX NEWS' WEEKLY PRIME-TIME SCHEDULE

Quarter	Hours of Non-Exempt Primetime Programming
<i>July 1 – September 30, 2016</i>	59 hours ¹
<i>October 1 – December 31, 2016</i>	48 hours
<i>January 1 – March 31, 2017</i>	44 hours
<i>April 1 – June 30, 2017</i>	41 hours
<i>July 1 – September 30, 2017</i>	35 hours
<i>October 1 – December 31, 2017</i>	44 hours
AVERAGE	45 hours

Sample line-up from Q3 2016

Week of August 15-21, 2016

Day	Time	Program	Type
Monday 8/15	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Tuesday 8/16	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Live
Wednesday 8/17	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Thursday 8/18	8pm	Breaking News	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Friday 8/19	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Saturday 8/20	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 8/21	7pm	Fox Report Sunday	Live
	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	Hannity Special	Pre-taped
<i>Number of hours toward quarterly total</i>			4

¹ Fox News aired more than 50 hours of non-exempt programming in Q3 2016 due to the July 4th holiday weekend, during which Fox News aired more non-live, long-form programming to account for scheduled breaks for its program hosts.

Sample Line-up from Q4 2016**Week of November 14-20, 2016**

Day	Time	Program	Type
Monday 11/14	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Tuesday 11/15	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Wednesday 11/16	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Thursday 11/17	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Friday 11/18	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Saturday 11/19	8pm	Objectified	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 11/20	7pm	Fox Report Sunday	Live
	8pm	Objectified	Pre-taped
	9pm	FNR: Trump Revolution	Pre-taped
	10pm	Fox News Sunday	Near-live
<i>Number of hours toward quarterly total</i>			4

Sample Line-up from Q1 2017**Week of February 20-26, 2017**

Day	Time	Program	Type
Monday 2/20	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Tuesday 2/21	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Wednesday 2/22	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Thursday 2/23	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Friday 2/24	8pm	The O'Reilly Factor	Near-live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Saturday 2/25	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 2/26	7pm	Fox Report Sunday	Live
	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Pre-taped
	10pm	Fox News Sunday	Near-live
<i>Number of hours toward quarterly total</i>			4

Sample Line-up from Q2 2017**Week of May 15-21, 2017**

Day	Time	Program	Type
Monday 5/15	8pm	Tucker Carlson Tonight	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Tuesday 5/16	8pm	Tucker Carlson Tonight	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Wednesday 5/17	8pm	Tucker Carlson Tonight	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Thursday 5/18	8pm	Tucker Carlson Tonight	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Friday 5/19	8pm	Tucker Carlson Tonight	Live
	9pm	The Kelly File	Live
	10pm	Hannity	Near-live
Saturday 5/20	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 5/21	7pm	Fox Report Sunday	Live
	8pm	Watters' World	Live
	9pm	Justice with Judge Jeanine	Live
	10pm	Fox News Sunday	Near-live
<i>Number of hours toward quarterly total</i>			2

Sample Line-up from Q3 2017**Week of August 21-27, 2017**

Day	Time	Program	Type
Monday 8/21	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Tuesday 8/22	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Live
Wednesday 8/23	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Thursday 8/24	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Friday 8/25	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Saturday 8/26	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 8/27	7pm	Fox Report	Live
	8pm	Watters' World	Pre-taped
	9pm	The Next Revolution	Live
	10pm	Fox News Sunday	Near-live
<i>Number of hours toward quarterly total</i>			3

Sample Line-up from Q42017**Week of October 23-29, 2017**

Day	Time	Program	Type
Monday 10/23	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Tuesday 10/24	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Wednesday 10/25	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Thursday 10/26	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Friday 10/27	8pm	Tucker Carlson Tonight	Live
	9pm	The Five	Live
	10pm	Hannity	Near-live
Saturday 10/28	8pm	Watters' World	Pre-taped
	9pm	Justice with Judge Jeanine	Live
	10pm	The Greg Gutfeld Show	Pre-taped
Sunday 10/29	7pm	Fox Report Sunday	Live
	8pm	Objectified	Pre-taped
	9pm	Next Revolution	Live
	10pm	Fox News Sunday	Near-live
<i>Number of hours toward quarterly total</i>			3